

Amendment No. 2 to HB1437

**Rich
Signature of Sponsor**

AMEND Senate Bill No. 1209*

House Bill No. 1437

By deleting subsection (c) of § 41-51-201 of the amendatory language of SECTION 1 in its entirety and redesignating accordingly:

FURTHER AMEND by deleting subsection (a) of § 41-51-202 of the amendatory language of SECTION 1 and substituting instead the following:

(a)

(a) A correctional institution shall not use restraints on a pregnant prisoner or detainee who is in labor while transporting such prisoner or detainee to a medical facility or during delivery, unless the corrections official makes an individualized determination that the prisoner or detainee presents an extraordinary circumstance that dictates restraints be used to ensure the safety and security of the prisoner or detainee, the staff of the correctional institution or medical facility, other prisoners or detainees, or the public, except that:

(1) If the physician, physician's assistant, nurse practitioner or midwife treating the prisoner or detainee requests that restraints not be used, the corrections officer accompanying the prisoner or detainee shall immediately remove all restraints; and

(2) Under no circumstances shall leg or waist restraints be used on any prisoner or detainee who is in labor or delivery.